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Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
**Houston, et al.** )  
) Art Unit: 2131  
Serial No.: 09/844,448 )  
)  
Filing Date: April 27, 2001 )  
)  
Title: Method and System for Managing )  
Security Events on a Network )

SUPPLEMENT TO REQUEST FOR RECONSIDERATION  
OF PETITION UNDER 37 C.F.R. 1.47(a)

Assistant Commissioner of Patents  
Box DAC  
Washington, D.C. 20231

August 9, 2002

Dear Sir:

Applicant, Internet Security Systems, Inc., (hereinafter "ISS") filed a Request for Reconsideration of its Petition on February 25, 2002. The Petition concerns acceptance of the filing of the above-identified U.S. Patent Application by it, as the party to which the invention disclosed and claimed in said Patent Application rightfully belongs, and on behalf of and as agent for two of the inventors who have not executed the papers required to perfect the filing of the present application.

Since the filing of the Request for Reconsideration, I have spoken with one of the non-executing inventors, Mr. Christian Kobsa, in an attempt to have him execute the application. I

I hereby certify that this correspondence is being faxed to Ms. Charlema Grant at the Office of Petitions at fax number (703) 308-6916 and a hard copy is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Box DAC, Washington, D.C. 20231, on August 9, 2002.

  
Robert T. Neufeld, Reg. No. 48,394

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spoke with Ms. Charlema Grant on June 13, 2002 concerning my contact with Mr. Kobsa. In spite of my efforts, Mr. Kobsa has declined to sign the application.

Accordingly, I submit the attached affidavit as a supplement to the Request for Reconsideration. ISS respectfully requests that the Commissioner grant the Request for Reconsideration and accept filing of the Patent Application. If there are any matters that can be addressed on the telephone, please do not hesitate to contact me at (404) 572-3509.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert T. Neufeld", written in a cursive style.

Robert T. Neufeld  
Reg. No. 48,394

King & Spalding  
45<sup>th</sup> Floor  
191 Peachtree Street, N.E.  
Atlanta, Georgia 30303  
404.572.4600  
K&S Docket: 05456.105005



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Security Events on a Network )

AFFIDAVIT OF ROBERT T. NEUFELD

Assistant Commissioner of Patents  
Washington, DC 20231

August 9, 2002

Dear Sir:

\_\_\_\_\_)  
State of Georgia )  
County of Fulton )  
\_\_\_\_\_)

Robert T. Neufeld, being duly sworn, and having personal knowledge of the facts set forth herein, hereby deposes and says that:

1. I am employed as an attorney with the law firm of King & Spalding, patent prosecution counsel for Internet Security Systems, Inc. (hereinafter "ISS") of Atlanta, Fulton County, Georgia.

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2. I prepared United States Patent Application No. 09/844,448, filed on April 27, 2001, entitled "Method and System for Managing Security Events on a Network" of which Christian D. Kobsa, among others, is named as an inventor.

3. At the time the Patent Application was completed and ready for execution, Mr. Kobsa no longer was employed at ISS.

4. The Patent Application was filed by ISS on April 27, 2001, without the required inventor's Declaration and Power of Attorney. On June 21, 2001, the Patent Office mailed a Notice to File Missing Parts of Nonprovisional Application to me.

5. Sheila Burks, senior counsel for ISS, attempted to have Mr. Kobsa execute the application.

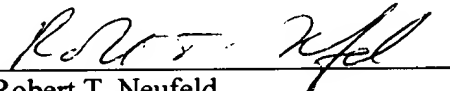
6. As of September 21, 2001, Sheila Burks was unable to locate Mr. Kobsa and have him execute the application. On September 21, 2001, ISS responded to the Notice of Missing Parts and filed a Petition for Filing By Other Than All the Inventors Under 37 C.F.R. 1.47(a).

7. On or around June 13, 2002, I spoke with Mr. Kobsa on the telephone and explained that he was named as an inventor in the above-reference patent application. Mr. Kobsa provided me with his home address for mailing a copy of the application and the formal papers for his signature.

8. On June 13, 2002 I mailed Mr. Kobsa a copy of the above-referenced patent application, as well as Declaration and Power of Attorney forms for his execution. In the letter I directed Mr. Kobsa to return the executed documents to me no later than June 28, 2002. See Attachment A.

9. On June 13, 2002, I also spoke with Ms. Charlema Grant of the Office of Petitions. I explained to Ms. Grant that I had located Mr. Kobsa and was attempting to have him execute the application.

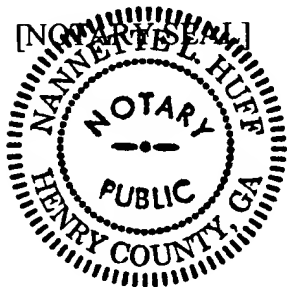
10. Mr. Kobsa has not returned the executed documents to me as requested and I have not received any other communication from him.

  
Robert T. Neufeld  
Reg. No. 48,394

Sworn to and subscribed  
before me, this 9<sup>th</sup>  
day of August, 2002.

  
NOTARY PUBLIC

My Commission Expires: 1/9/2005





# KING & SPALDING

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June 13, 2002

Mr. Christian Kobsa  
2107 Masters Way  
Alpharetta, GA 30005

Re: U. S. Patent Application No. 09/844,448  
Entitled: "*Method and System for Managing Security Events on a Network*"  
K&S File No. 05456.105005 US

Dear Mr. Kobsa:

As I explained on the telephone, I represent Internet Security Systems in connection with the above-referenced patent application, in which you are identified as an inventor. Please review the enclosed copy of the patent application and if the information contained in both the Assignment and the Declaration and Power of Attorney is correct, please execute each. Note that the Assignment is to be executed in the presence of a notary public.

Please forward the signed originals to me by June 28, 2002. If you have any questions, feel free to call me. We appreciate your cooperation.

Very truly yours,

Robert T. Neufeld

RTN:nlh

Enclosures  
2400214 v1

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